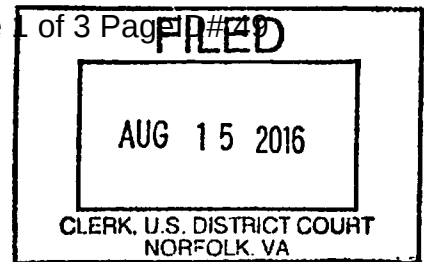


Prob 12
(Mod. For E.VA 10/09)

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF VIRGINIA**



U.S.A. vs. Brandon R. Moore Docket No. 2:15mj367

Petition on Probation

COMES NOW BRETT RILEY, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Brandon R. Moore, who was placed on supervision by The Honorable Douglas E. Miller sitting in the Court at Norfolk, Virginia, on the 28th day of January, 2016, who fixed the period of supervision at One (1) Year, and imposed the general terms and conditions heretofore adopted by the Court and also imposed special conditions and terms as follows:

See Page 2.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

See Attachment(s)

PRAYING THAT THE COURT WILL ORDER a summons to be issued directing that the offender appear before the Court to show cause why supervision should not be revoked.

ORDER OF COURT

Considered and ordered this 15th day of August, 2016 and ordered filed and made a part of the records in the above case.

/s/ [Signature]
Douglas E. Miller
United States Magistrate Judge

Douglas E. Miller
United States Magistrate Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8/12/16

[Signature: Brett R. Riley]
Brett R. Riley
U.S. Probation Officer

Place Norfolk, Virginia

TO CLERK'S OFFICE

Petition on Probation

Page 2

RE: MOORE, Brandon R.

OFFENSE:

Driving While License Suspended 6th Offense within Ten Years, a Class A Misdemeanor.

SENTENCE:

One (1) year probation, a \$250 fine, and a \$25 special assessment.

PROBATION VIOLATION:

On July 14, 2016, Moore appeared before the Court for a violation hearing based on a petition filed by the Probation Office alleging that Moore had violated several conditions of probation. At that hearing, Moore stipulated to the violations outlined in the petition filed on May 13, 2016, and the addendum filed on July 13, 2016. The Court found Moore in violation of probation and continued the defendant on probation. The Court modified Moore's conditions of probation to include a requirement for Moore to serve a total of sixteen (16) days of imprisonment on weekends, with credit for time served. The Court also ordered that Moore participate in substance abuse testing and treatment and that he attend Narcotics Anonymous meetings at least 1 day per week and show proof of his attendance to the probation officer.

SPECIAL CONDITIONS:

1. The defendant shall not operate a motor vehicle unless properly licensed to do so.
2. The defendant shall maintain full time employment.
3. The defendant shall serve twelve (12) days in custody. This time may be served on weekends as directed by the Probation Officer.

ADJUSTMENT TO SUPERVISION:

Moore's one (1) year term of probation began on January 28, 2016. The defendant's full term of supervision is scheduled to end on January 27, 2017; however, at the aforementioned violation hearing held on July 14, 2016, The Court indicated that Moore's probation would terminate upon the defendant's completion of the 16-day term of intermittent confinement. Moore is tentatively scheduled to complete his 16-day term of intermittent confinement on August 13, 2016. The Probation Office does not recommend that Moore's supervision terminate on August 13, 2016, due to his conduct since the date of his last court appearance.

Since the date of Moore's last court appearance on July 14, 2016, the defendant has continued to use marijuana; he has engaged in additional criminal conduct; and he has failed to participate in substance abuse treatment as directed. On July 20, 2016, Moore submitted a urine specimen that tested positive for marijuana. This specimen was confirmed positive for marijuana by Alere Toxicology Services, Inc., on July 31, 2016. On July 27, 2016, Moore submitted an additional urine specimen that tested positive for marijuana. This specimen was confirmed positive for marijuana by Alere Toxicology Services Inc., on August 9, 2016. On August 3, 2016, Moore submitted a third urine specimen that tested positive for marijuana. The Probation Office is awaiting a confirmation report for the urine specimen collected on August 3, 2016. In addition to his continued drug use,

Petition on Probation

Page 3

RE: MOORE, Brandon R.

on July 21, 2016, Moore was charged with Littering by the Virginia Beach Police Department. According to Virginia Beach City Code, this offense is a Class 1 Misdemeanor. This matter is scheduled to be heard before the Virginia Beach General District Court on September 6, 2016. It should also be noted that on July 14, 2016, the Court directed Moore to attend Narcotics Anonymous meetings at least one time per week and to provide the probation officer with proof of his attendance. Moore has not provided the probation officer with proof that he has attended any Narcotics Anonymous meetings.

Moore is employed at the Norfolk Naval Shipyard as an apprentice. The defendant reportedly resides with his uncle in Norfolk, Virginia.

VIOLATIONS:

The following violations are submitted for the Court's consideration:

MANDATORY CONDITION: COMMISSION OF A CRIME – LITTERING.

On July 21, 2016, the Virginia Beach Police Department charged the defendant with Littering. According to Virginia Beach City Code, this offense is a Class 1 Misdemeanor. This matter is scheduled to be heard before the Virginia Beach General District Court on September 6, 2016.

SPECIAL CONDITION: FAILURE TO ATTEND NARCOTICS ANONYMOUS MEETINGS.

On July 14, 2016, The Court ordered that Moore attend at least one Narcotics Anonymous meeting per week and show proof of his attendance to the probation officer. Moore has not provided proof that he has attended any Narcotics Anonymous meetings.

CONDITION 7: USE OF MARIJUANA

On July 20, 2016, Moore submitted a urine specimen that tested positive for marijuana. This specimen was confirmed positive for marijuana by Alere Toxicology Services, Inc., on July 31, 2016. On July 27, 2016, Moore submitted an additional urine specimen that tested positive for marijuana. This specimen was confirmed positive for marijuana by Alere Toxicology Services Inc., on August 9, 2016. On August 3, 2016, Moore submitted a third urine specimen that tested positive for marijuana. The Probation Office is awaiting a confirmation report for the urine specimen collected on August 3, 2016.

BRR/bap